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10/669,652

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EXAMINER

PATEL, DHAIRYA A

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/669,652	Applicant(s) KINOSHITA, HARUHIKO	
	Examiner Dhairya A. Patel	Art Unit 2451	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communication filed on 8/19/2008. Claims 1-24 were previously presented, and claims 25-33 are newly added claims. Therefore, claims 1-33 are subject to examination.
2. This amendment has been fully considered and entered.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 9-16 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.
4. As per claim 9, it states "a system for generating a content management information used in determining a plan for utilizing content in a plurality of utilization modes, comprising: means for saving initial information....means for deciding....means for extracting.....means for generating content....". All the means for limitation, are software means since there is no hardware means this means makes the system as software. All the limitations, recite software limitations. For example, claim 9 states, system for generating content management information...(software), means for saving initial information...which is does not contain any hardware means, means for determining, means for extracting, means for generating are all software means.
5. As per claim 10, it states "a system for generating a content management information used in determining a plan for utilizing content in a plurality of

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utilization modes, comprising: means for saving initial information....means for deciding....means for extracting.....means for generating content....” All the means for limitation, are software means since there is no hardware means this means makes the system as software. All the limitations, recite software limitations. For example, claim 10 states, system for generating content management information...(software), means for saving initial information...which is does not contain any hardware means, means for determining, means for extracting, means for generating are all software means.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7,9-15,17-23,25-31,33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawaguchi et al. U.S. Patent Publication # 2002/0165832 (hereinafter Kawaguchi) in view of Nickerson et al. U.S. Patent # 7,085,820 (hereinafter Nickerson)

As per claim 1, Kawaguchi teaches a method for generating content management information (i.e. product management information) used in determining a plan for the utilization of a content object (i.e. products) in a plurality of utilization modes, comprising:

-saving initial information (i.e. product information, retailer code) regarding a content object (products) (Paragraph 36)(paragraph 39) **NOTE:** The reference teaches saving revision to the items such as sales price, and updating processing of the product information i.e. common product information by retailer product information in product database of the retailer an registered retailer code.

-determining for each of a plurality of utilization information that each indicate a utilization results of another content object in the past, whether an initial information comprised by said utilization information is on the same level as the initial information of the content object (Paragraphs 37,38, 42,43,44 47-54); **NOTE:** The reference teaches in Fig. 3 step 13 and step14, it checks if the there is product information (determining utilization information) (paragraph 37). In paragraph 42, it states the product information is already displayed and then controller registers this product information in shared product database. In Paragraph 50, it states utilization results i.e. per-usage fees being utilized: 90 yen and in a predetermined period (for example, one month). In Fig. 2a, and 2c,d,e, it shows that utilization information which is utilizing information i.e. fees, time, totaling data is on the same level as retailer code (initial information)

- extracting utilization information that comprises initial information determined to be on the same level as the initial information of the content object (Paragraphs 46-54)

NOTE: The reference teaches extracting utilization results data which contains initial information i.e. the common product information which is used and creates a utilization results which is listed in Paragraphs 48-54. In Fig. 2a, and 2c,d,e, it shows

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that utilization information which is utilizing information i.e. fees, time, totaling data is on the same level as retailer code (initial information

- generating content management information for the content object based on the extracted utilization information (Paragraphs 47-54)

NOTE: The reference teaches calculating total fees and using utilization data at each predetermined period and preparing the utilization results data (Fig. 2E).

Kawaguchi teaches initial information but is silent in teaching initial information comprising at least an initial reaction regarding the content object. Nickerson teaches initial information comprising at least an initial reaction regarding the content object (column 12 lines 45-67)(column 13 lines 1-29) **NOTE:**. The reference teaches proving general reaction to the page, the user clicks on the points or appropriate symbol reflective of that reaction. In particular, questions may be presented of or in addition to the rating scale. For example a page of vehicle's manufacture's web site may includes picture of car and model of the vehicle and question posted to the user include "how well do you like the picture, or Do you like the shape of the tail fin?" (content object). The response may include green box, dot or other visual elements to yes response, neutral response or no response (initial information comprising at least initial reaction regarding content object).

Nickerson also teaches determining for each of a plurality of utilization information that each indicate a utilization results of another content object in the past (column 16 lines 65-67)(column 17 lines 1-2), whether an initial information comprised by said utilization information is on the same level as the initial information of the

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content object (column 16 lines 57-67)(column 17 lines 1-10). **NOTE:** The reference teaches reports reflect only user reactions collected during specific time period or might reflect all user collected since tool was incorporated to the particular page or pages that reports concern (utilization results of another content object in past).

Nickerson also teaches extracting utilization information that comprises initial information determined to be on the same level as the initial information of the content object (Fig. 8a)(column 17 lines 11-40) and generating content management information for the content object based on the extracted utilization information (column 17 lines 11-40). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Nickerson's teaching Kawaguchi's teaching to come up with having initial information comprising initial reaction regarding the content object. The motivation for doing so would be to provide the owner with readily understandable view of the user reactions for a particular page, a set of or particular WebPages or website as whole which may result in owner responding by improving website to the user likings. (column 16 lines 54-61).

As per claim 2, Kawaguchi teaches a method for generating content management information (i.e. product management information) used in determining a plan for the utilization of a content object (i.e. products) in a plurality of utilization modes, comprising:

-saving initial information (i.e. product information, retailer code) regarding a content object (products) (Paragraph 36)(paragraph 39) **NOTE:** The reference teaches saving revision to the items such as sales price, and updating processing of the product

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information i.e. common product information by retailer product information in product database of the retailer an registered retailer code.

-determining for each of a plurality of utilization information that each indicate a utilization results of another content object in the past, whether an initial information comprised by said utilization information is on the same level as the initial information of the content object (Paragraphs 37,38, 42,43,44 47-54); **NOTE:** The reference teaches in Fig. 3 step 13 and step14, it checks if the there is product information (determining utilization information) (paragraph 37). In paragraph 42, it states the product information is already displayed and then controller registers this product information in shared product database. In Paragraph 50, it states utilization results i.e. per-usage fees being utilized: 90 yen and in a predetermined period (for example, one month). In Fig. 2a, and 2c,d,e, it shows that utilization information which is utilizing information i.e. fees, time, totaling data is on the same level as retailer code (initial information)

- extracting utilization information that comprises initial information determined to be on the same level as the initial information of the content object (Paragraphs 46-54) and that is indicative of any one of a top raking pre-determined number or utilization effects contained in the utilization results (Paragraphs 46-54)

NOTE: The reference teaches extracting utilization results data which contains initial information i.e. the common product information which is used and creates a utilization results which is listed in Paragraphs 48-54. In Fig. 2a, and 2c,d,e, it shows that utilization information which is utilizing information i.e. fees, time, totaling data is on the same level as retailer code (initial information). It also states per-usage fees for

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utilizing, per-usage fees for being utilized over a pre-determined period, number of times common product data registered, total fees. These features shows the predetermined number of utilization effects contained in the results. In paragraph 55, it lists an example that if overall utilization fee for the product information management system for one month is 10,000 yen, and earning/expenditures related to the utilization of shared product database is of 400 yen, then retailer can pay a utilization charge for that month of $10000 - 400 = 9600$ yen. This shows the utilization effects which are contained in the results.

- generating content management information for the content object based on the extracted utilization information (Paragraphs 47-54)

NOTE: The reference teaches calculating total fees and using utilization data at each predetermined period and preparing the utilization results data (Fig. 2E).

Kawaguchi teaches initial information but is silent in teaching initial information comprising at least an initial reaction regarding the content object. Nickerson teaches initial information comprising at least an initial reaction regarding the content object (column 12 lines 45-67)(column 13 lines 1-29) **NOTE:.** The reference teaches providing general reaction to the page, the user clicks on the points or appropriate symbol reflective of that reaction. In particular, questions may be presented of or in addition to the rating scale. For example a page of vehicle's manufacture's web site may include picture of car and model of the vehicle and question posted to the user include "how well do you like the picture, or Do you like the shape of the tail fin?" (content object). The response may include green box, dot or other visual elements to yes response,

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neutral response or no response (initial information comprising at least initial reaction regarding content object).

Nickerson also teaches determining for each of a plurality of utilization information that each indicate a utilization results of another content object in the past (column 16 lines 65-67)(column 17 lines 1-2), whether an initial information comprised by said utilization information is on the same level as the initial information of the content object (column 16 lines 57-67)(column 17 lines 1-10). **NOTE:** The reference teaches reports reflect only user reactions collected during specific time period or might reflect all user collected since tool was incorporated to the particular page or pages that reports concern (utilization results of another content object in past).

Nickerson also teaches extracting utilization information that comprises initial information determined to be on the same level as the initial information of the content object (Fig. 8a)(column 17 lines 11-40) and generating content management information for the content object based on the extracted utilization information (column 17 lines 11-40). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Nickerson's teaching Kawaguchi's teaching to come up with having initial information comprising initial reaction regarding the content object. The motivation for doing so would to be to provide the owner with readily understandable view of the user reactions for a particular page, a set of or particular WebPages or website as whole which may result in owner responding by improving website to the user likings. (column 16 lines 54-61).

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As per claim 3, Kawaguchi and Nickerson teaches the method according to claim 1, but Kawaguchi teaches wherein the initial information contains the utilization result (i.e. utilization results/rate)of the object content (i.e. product information) in a predetermined utilization mode at a predefined initial stage (Paragraph 46)(Paragraph 47)

As per claim 4, Kawaguchi teaches the method according to claim 3, wherein in case values (Paragraph 49,50) indicated by the respective utilization results contained in the plurality of initial information (i.e. per-usage fees for being utilized, times of common data registered)) are all in a predetermined range (i.e. over a period of a month), the plurality of initial information are decided to be on the same level (Paragraphs 47,49,50,52).

As per claim 5, Kawaguchi teaches the method according to claim 1, wherein the initial information contains a holding result of an event based on which the object content has been created (Paragraph 55)

As per claim 6, Kawaguchi teaches the method according to claim 5, wherein in case values indicated by the respective holding results contained in the plurality of initial information are all in a predetermined range (i.e. predetermined period), the plurality of initial information are decided to be on the same level (Paragraphs 47,49,51,52,53)(Fig. 4,5,6).

As per claim 7, Kawaguchi teaches the method according to claim 1, wherein the utilization result information contains the respective utilization results in the plurality of utilization modes (Paragraphs 50,52,53); and the extracted utilization result information

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is used to thereby derive an average value in each of the plurality of utilization modes (Paragraphs 46-54)

As per claims 9,17, teaches same limitations as claim 1, therefore rejected under same basis.

As per claims 10-15, teaches same limitations as claims 2-7, therefore rejected under same basis.

As per claims 18-23, teaches same limitations as claims 2-7, therefore rejected under same basis.

As per claim 25, Kawaguchi teaches a system for generating content management information (i.e. product management information) used in determining a plan for the utilization of a content object (i.e. products) in a plurality of utilization modes, comprising:

- a storage device that saves initial information (i.e. product information, retailer code) regarding a content object (products) (Paragraph 36)(paragraph 39) **NOTE:** The reference teaches saving revision to the items such as sales price, and updating processing of the product information i.e. common product information by retailer product information in product database of the retailer an registered retailer code.

- determining device that determines for each of a plurality of utilization information that each indicate a utilization results of another content object in the past, whether an initial information comprised by said utilization information is on the same level as the initial information of the content object (Paragraphs 37,38, 42,43,44 47-54);

NOTE: The reference teaches in Fig. 3 step 13 and step14, it checks if the there is

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product information (determining utilization information) (paragraph 37). In paragraph 42, it states the product information is already displayed and then controller registers this product information in shared product database. In Paragraph 50, it states utilization results i.e. per-usage fees being utilized: 90 yen and in a predetermined period (for example, one month). In Fig. 2a, and 2c,d,e, it shows that utilization information which is utilizing information i.e. fees, time, totaling data is on the same level as retailer code (initial information)

-an extracting device utilization information that comprises initial information determined to be on the same level as the initial information of the content object (Paragraphs 46-54)

NOTE: The reference teaches extracting utilization results data which contains initial information i.e. the common product information which is used and creates a utilization results which is listed in Paragraphs 48-54. In Fig. 2a, and 2c,d,e, it shows that utilization information which is utilizing information i.e. fees, time, totaling data is on the same level as retailer code (initial information

- an generating device content management information for the content object based on the extracted utilization information (Paragraphs 47-54)

NOTE: The reference teaches calculating total fees and using utilization data at each predetermined period and preparing the utilization results data (Fig. 2E).

Kawaguchi teaches initial information but is silent in teaching initial information comprising at least an initial reaction regarding the content object. Nickerson teaches initial information comprising at least an initial reaction regarding the content object

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(column 12 lines 45-67)(column 13 lines 1-29) **NOTE:** The reference teaches providing general reaction to the page, the user clicks on the points or appropriate symbol reflective of that reaction. In particular, questions may be presented of or in addition to the rating scale. For example a page of vehicle's manufacture's web site may includes picture of car and model of the vehicle and question posted to the user include "how well do you like the picture, or Do you like the shape of the tail fin?" (content object). The response may include green box, dot or other visual elements to yes response, neutral response or no response (initial information comprising at least initial reaction regarding content object).

Nickerson also teaches determining for each of a plurality of utilization information that each indicate a utilization results of another content object in the past (column 16 lines 65-67)(column 17 lines 1-2), whether an initial information comprised by said utilization information is on the same level as the initial information of the content object (column 16 lines 57-67)(column 17 lines 1-10). **NOTE:** The reference teaches reports reflect only user reactions collected during specific time period or might reflect all user collected since tool was incorporated to the particular page or pages that reports concern (utilization results of another content object in past).

Nickerson also teaches extracting utilization information that comprises initial information determined to be on the same level as the initial information of the content object (Fig. 8a)(column 17 lines 11-40) and generating content management information for the content object based on the extracted utilization information (column 17 lines 11-40). It would have been obvious to one of ordinary skill in the art at the time

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of applicant's invention was made to implement Nickerson's teaching Kawaguchi's teaching to come up with having initial information comprising initial reaction regarding the content object. The motivation for doing so would be to provide the owner with readily understandable view of the user reactions for a particular page, a set of or particular WebPages or website as whole which may result in owner responding by improving website to the user likings. (column 16 lines 54-61).

As per claim 26, Kawaguchi teaches teaches a system for generating content management information (i.e. product management information) used in determining a plan for the utilization of a content object (i.e. products) in a plurality of utilization modes, comprising:

- a storage device that saves initial information (i.e. product information, retailer code) regarding a content object (products) (Paragraph 36)(paragraph 39) **NOTE:** The reference teaches saving revision to the items such as sales price, and updating processing of the product information i.e. common product information by retailer product information in product database of the retailer an registered retailer code.

- determining device that determines for each of a plurality of utilization information that each indicate a utilization results of another content object in the past, whether an initial information comprised by said utilization information is on the same level as the initial information of the content object (Paragraphs 37,38, 42,43,44 47-54); **NOTE:** The reference teaches in Fig. 3 step 13 and step14, it checks if the there is product information (determining utilization information) (paragraph 37). In paragraph 42, it states the product information is already displayed and then controller registers

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this product information in shared product database. In Paragraph 50, it states utilization results i.e. per-usage fees being utilized: 90 yen and in a predetermined period (for example, one month). In Fig. 2a, and 2c,d,e, it shows that utilization information which is utilizing information i.e. fees, time, totaling data is on the same level as retailer code (initial information)

-an extracting device utilization information that comprises initial information determined to be on the same level as the initial information of the content object (Paragraphs 46-54) and that is indicative of any one of a top raking pre-determined number or utilization effects contained in the utilization results (Paragraphs 46-54)

NOTE: The reference teaches extracting utilization results data which contains initial information i.e. the common product information which is used and creates a utilization results which is listed in Paragraphs 48-54. In Fig. 2a, and 2c,d,e, it shows that utilization information which is utilizing information i.e. fees, time, totaling data is on the same level as retailer code (initial information). It also states per-usage fees for utilizing, per-usage fees for being utilized over a pre-determined period, number of times common product data registered, total fees. These features shows the predetermined number of utilization effects contained in the results. In paragraph 55, it lists and example that if overall utilization fee for the product information management system for one month is 10,000 yen, and earning/expenditures related to the utilization of shared product database is of 400 yen, then retailer can pay a utilization charge for that month of $10000 - 400 = 9600$ yen. This shows the utilization effects which are contained in the results.

- an generating device content management information for the content object based on the extracted utilization information (Paragraphs 47-54)

NOTE: The reference teaches calculating total fees and using utilization data at each predetermined period and preparing the utilization results data (Fig. 2E).

Kawaguchi teaches initial information but is silent in teaching initial information comprising at least an initial reaction regarding the content object. Nickerson teaches initial information comprising at least an initial reaction regarding the content object (column 12 lines 45-67)(column 13 lines 1-29) **NOTE:**. The reference teaches proving general reaction to the page, the user clicks on the points or appropriate symbol reflective of that reaction. In particular, questions may be presented of or in addition to the rating scale. For example a page of vehicle's manufacture's web site may includes picture of car and model of the vehicle and question posted to the user include "how well do you like the picture, or Do you like the shape of the tail fin?" (content object). The response may include green box, dot or other visual elements to yes response, neutral response or no response (initial information comprising at least initial reaction regarding content object).

Nickerson also teaches determining for each of a plurality of utilization information that each indicate a utilization results of another content object in the past (column 16 lines 65-67)(column 17 lines 1-2), whether an initial information comprised by said utilization information is on the same level as the initial information of the content object (column 16 lines 57-67)(column 17 lines 1-10). **NOTE:** The reference teaches reports reflect only user reactions collected during specific time period or might

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reflect all user collected since tool was incorporated to the particular page or pages that reports concern (utilization results of another content object in past).

Nickerson also teaches extracting utilization information that comprises initial information determined to be on the same level as the initial information of the content object (Fig. 8a)(column 17 lines 11-40) and generating content management information for the content object based on the extracted utilization information (column 17 lines 11-40). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Nickerson's teaching Kawaguchi's teaching to come up with having initial information comprising initial reaction regarding the content object. The motivation for doing so would to be to provide the owner with readily understandable view of the user reactions for a particular page, a set of or particular WebPages or website as whole which may result in owner responding by improving website to the user likings. (column 16 lines 54-61).

As per claims 27-31, teaches same limitations as claims 3-7, therefore rejected under same basis.

As per claim 33, Kawaguchi teaches a method for generating content management information (i.e. product management information) used in determining a plan for the utilization of a content object (i.e. products) in a plurality of utilization modes, comprising:

-saving initial reaction information (i.e. product information, retailer code) regarding a content object (products) (Paragraph 36)(paragraph 39) **NOTE:** The reference teaches saving revision to the items such as sales price, and updating

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processing of the product information i.e. common product information by retailer product information in product database of the retailer an registered retailer code.

-for each of a plurality of other content objects utilized in past, determining whether a initial reaction information regarding the other content object comprised by content utilization is on the same level as the initial reaction information of the content object, wherein said content utilization information further comprises utilization result information of said other content utilized in past; (Paragraphs 37,38, 42,43,44 47-54);

NOTE: The reference teaches in Fig. 3 step 13 and step14, it checks if the there is product information (determining utilization information) (paragraph 37). In paragraph 42, it states the product information is already displayed and then controller registers this product information in shared product database. In Paragraph 50, it states utilization results i.e. per-usage fees being utilized: 90 yen and in a predetermined period (for example, one month). In Fig. 2a, and 2c,d,e, it shows that utilization information which is utilizing information i.e. fees, time, totaling data is on the same level as retailer code (initial information)

- extracting utilization information that comprises initial reaction information determined to be on the same level as the initial information of the content object (Paragraphs 46-54)

NOTE: The reference teaches extracting utilization results data which contains initial information i.e. the common product information which is used and creates a utilization results which is listed in Paragraphs 48-54. In Fig. 2a, and 2c,d,e, it shows

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that utilization information which is utilizing information i.e. fees, time, totaling data is on the same level as retailer code (initial information

- generating content management information for the content object based on the extracted utilization information (Paragraphs 47-54)

NOTE: The reference teaches calculating total fees and using utilization data at each predetermined period and preparing the utilization results data (Fig. 2E).

Nickerson teaches initial reaction information (column 12 lines 45-67)(column 13 lines 1-29) **NOTE:**. The reference teaches proving general reaction to the page, the user clicks on the points or appropriate symbol reflective of that reaction. In particular, questions may be presented of or in addition to the rating scale. For example a page of vehicle's manufacture's web site may includes picture of car and model of the vehicle and question posted to the user include "how well do you like the picture, or Do you like the shape of the tail fin?" (content object). The response may include green box, dot or other visual elements to yes response, neutral response or no response (initial information comprising at least initial reaction regarding content object).

Nickerson also teaches for each of a plurality of other content objects utilized in past, determining whether a initial reaction information regarding the other content object comprised by content utilization is on the same level as the initial reaction information of the content object, wherein said content utilization information further comprises utilization result information of said other content utilized in past. **NOTE:** The reference teaches reports reflect only user reactions collected during specific time

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period or might reflect all user collected since tool was incorporated to the particular page or pages that reports concern (utilization results of another content object in past).

Nickerson also teaches extracting utilization information that comprises initial reaction information determined to be on the same level as the initial information of the content object (Fig. 8a)(column 17 lines 11-40) and generating content management information for the content object based on the extracted utilization information (column 17 lines 11-40). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Nickerson's teaching Kawaguchi's teaching to come up with having initial information comprising initial reaction regarding the content object. The motivation for doing so would be to provide the owner with readily understandable view of the user reactions for a particular page, a set of or particular WebPages or website as whole which may result in owner responding by improving website to the user likings. (column 16 lines 54-61)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8,16,24,32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawaguchi et al. U.S. Patent Publication # 2002/0165832 (hereinafter Kawaguchi) in view of Nickerson further in view of Lee et al. U.S. Patent Publication # 2002/0007368 (hereinafter Lee)

As per claim 8, Kawaguchi and Nickerson teaches the method according to claim 1, but is silent in teaches Lee teaches the method according to claim 1, wherein the content contains image data and a mode of utilizing the content as data of a movie used at least when showing the movie is included as one of the modes of utilizing the content. Lee teaches wherein the content contains image data (Paragraph 33,34); The reference teaches the image data in this case is episodes i.e. different episode/series;

-a mode of utilizing the content as data of a movie (i.e. TV shows and episode sequence of the multimedia) used at least when showing the movie is included as one of the modes of utilizing the content (Paragraph 50)(Paragraph 39). The reference teaches showing a TV show i.e. based on the running time of plot, program theme which is modes of utilizing the content.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Lee's teaching in Kawaguchi and Nickerson's teaching to come up with having content containing image data and utilizing content as data of movie when showing the movie is included as one of the modes of utilizing the content. The motivation for doing so would be know the running time of the program, theme a plot of the program i.e. episode of the program which is stored as the usage time (paragraph 39).

As per claims 16,24,32 teaches same limitations as claim 8, therefore rejected under same basis.

Response to Arguments

Applicant's arguments with respect to claims 1,9,17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. A shortened statutory period for response to this action is set to expire **3 (three) months and 0 (zero) days** from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the applicant (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

8.

Art Unit: 2451

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dhairya A. Patel whose telephone number is 571-272-5809. The examiner can normally be reached on Monday-Friday 7:00AM-4:30PM, first Fridays OFF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DAP

/John Follansbee/

Supervisory Patent Examiner, Art Unit 2451